



Order Filed on December 28, 2017  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

798407  
PHELAN HALLINAN DIAMOND & JONES, PC  
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856-813-5500

Attorneys for Secured Creditor: FEDERAL  
NATIONAL MORTGAGE ASSOCIATION  
("FANNIE MAE")

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

In Re:

CHRISANNE WENC-SMUDIN A/K/A CHRISANNE  
M. WENC

Case No: 17-26917 - KCF

Hearing Date: 12/13/2017

Judge: Kathryn C. Ferguson

### CONSENT ORDER RESOLVING OBJECTION TO CONFIRMATION

The consent order set forth on the following pages, numbered two (2) through three (3) is hereby **ORDERED**.

**DATED: December 28, 2017**

  
Honorable Kathryn C. Ferguson  
United States Bankruptcy Judge

**NJID 798407**

PHELAN HALLINAN DIAMOND & JONES, PC

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Attorneys for FEDERAL NATIONAL MORTGAGE ASSOCIATION ("FANNIE MAE")

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY

IN RE:

CHRISANNE WENC-SMUDIN  
A/K/A CHRISANNE M. WENC

CASE NO. 17-26917 - KCF

CHAPTER 13

Debtor

CONSENT ORDER RESOLVING  
OBJECTION TO CONFIRMATION

HEARING DATE: 12/13/2017

This Consent Order pertains to the property located at 142 PASADENA ROAD, WHITING, NJ 08759-4102, mortgage account ending with "3194";

THIS MATTER having been brought before the Court by Daniel E. Straffi, Esquire, Esquire attorney for debtor, CHRISANNE WENC-SMUDIN upon the filing of a Chapter 13 Plan, FEDERAL NATIONAL MORTGAGE ASSOCIATION ("FANNIE MAE") by and through its attorneys, Phelan Hallinan Diamond & Jones, PC having filed an Objection to the Confirmation of said Chapter 13 Plan and the parties having subsequently resolved their differences; and the Court noting the consent of the parties to the form, substance and entry of the within Order; and for other and good cause shown:

IT IS on the 28<sup>th</sup> day of December, 2017, ORDERED as follows:

1. The secured creditor, FEDERAL NATIONAL MORTGAGE ASSOCIATION ("FANNIE MAE"), shall be permitted to file a secured Proof of Claim after Confirmation. The arrears reflected in said to-be-filed secured Proof of Claim will be approximately **\$269,855.99**.

2. The Trustee is authorized not to pay the secured arrearage claim (Proof of Claim to be filed shortly) of FEDERAL NATIONAL MORTGAGE ASSOCIATION ("FANNIE MAE"). for the purpose of allowing the Debtor to apply and potentially complete a loan modification. Should the Debtor qualify for a loan modification, the loan modification must be approved no later than **March 1, 2018**.

3. If Loan Modification is approved, FEDERAL NATIONAL MORTGAGE ASSOCIATION ("FANNIE MAE") shall file an Amended Proof of Claim showing the amount of arrears paid to date by the Trustee.

4. If a loan modification is not approved by **March 1, 2018**, the debtor shall do one of the following: 1) file a Modified Plan to cure the arrearage claim of Movant; or 2) file a Modified Plan to surrender the property subject to said claim; or 3) a Notice to Convert to Chapter 7; or 4) a Notice to Dismiss Case.

5. Debtor acknowledges that the monthly post-petition mortgage payment amount is subject to change in accordance with the terms of the note and mortgage.

6. Debtor shall tender adequate protection payments to FEDERAL NATIONAL MORTGAGE ASSOCIATION ("FANNIE MAE") as required by the Loss Mitigation Program (LMP). The adequate protection payments will continue only while the Debtor is in LMP. The Loss Mitigation Program is scheduled to terminate on January 4, 2018. If the Debtor fails to make adequate protection payments, FEDERAL NATIONAL MORTGAGE ASSOCIATION ("FANNIE MAE") will file an Application for Early Termination of LMP. Once the Loss Mitigation Program terminates on January 4, 2018, or an earlier date confirmed by the court, the Debtor shall cease tendering the reduced adequate protection payments and begin making regular monthly mortgage payments to FEDERAL NATIONAL MORTGAGE ASSOCIATION ("FANNIE MAE") as required by the mortgage and note.

7. This Consent Order shall be incorporated in and become a part of any Order Confirming Plan in the herein matter.

The undersigned hereby consent to the form,  
Content and entry of the within Order:

PHELAN HALLINAN DIAMOND & JONES, PC  
Attorneys for Secured Creditor:  
FEDERAL NATIONAL MORTGAGE ASSOCIATION ("FANNIE MAE")

/s/ Sherri J. Braunstein  
Sherri J. Braunstein, Esq.  
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Dated: 12/14/2017

Daniel E. Straffi  
Daniel E. Straffi, Esquire  
Attorney for debtor

Dated: 12/28/2017